Previous references.

Pris. 22 Jos
Sh I-4, B Oct. 06

Later references.

1906.

(Prisons)

File No. 73-05

Serial Nos. 142

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 142

Part B. for Och. 06.

SUBJECT.

Amendment of Rule No 1 of the Rules for the Safe guarding of long term Convicts and notorious criminals confined in the Sh. & Dahuk Lock-up

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Table of contents

Serial no

To the I.G. of Prisons

no. 907 d 20.6.06

7

States that rule 1 of Rules for the Safeguarding of long term convicts and notorious criminals has an

G. R. S. 58

uncertain meaning.

2. 2. The I.G of Prisons, I.G of Police and the Bhangis.

Govt Proc No J 942-987 dt 20-11-03
Pris 73-05-2

Modify Rule 1 of the Rules published with Govt Proc No 369-79 - J J dt 7/9/1903

G. R. S. 11] 1905–06

GENERAL AND REVENUE SECRETARIAT

(Prisons)

NOTES.

File. No 73

FILE HEADING.

Rule no: 1 of the Rules for the Safe-guarding of long term convicts and notorious criminals confined in Distrct and Sub Lock-ups

From

The Inspector General of Prisons in Mysore.

No. 909/J Dated 20.6.06 Received 23.6.06

Diary No. 13215	Enclos. –	Spare Copies. –	Serial No. /

BRIEF ABSTRACT OF LETTER.

Stes that rule 1 of rules for the Safe-guarding of long term convicts and notorious criminals ~~has~~ an uncertain meaning

NOTES AND ORDERS.*

Flag. U*

Subr. The rule in question provides for a special guard of 3 constables for one prisoner to watch over him by night and day. The Ist Enquires whether the rule means that there should be 3 constables for each prisoner if there are more

NOTES—First sheet.*

MGCPB—30,000—17-2-05.

2

Serial No.

than one and if each be confined in a separate cell; and whether it means 3 constables should watch at night and 3 fresh men by day.

2 The Hl states that, in his own opinion, for every separate set of cells in the same line, and which can be observed by one man without altering his position, three constables should suffice for each period of 24 hours.

Submitted for orders.

C.R.D. 30.6.06 HRL 30-6-06

3 The I. G's interpretation appears to be correct

Lee? Lee 2-7-06

4 Please draft (& submit) an order approving the Hl's ~~recommendation~~ proposal (describing in detail)

4.7.06

~~Draft submitted as revised by the Sup'dt.~~

C.R.D. 12-7-06. HRL 12-7-06

Lee? Lee 4-7-06

5 Do Please see Hon'ble 2d Cr

Lee 12-7-06

15.7.06

Lee 16-7-06

Recd 16.7.06. 4.30 pm

6 160/17.7.06 I am not quite clear as to what is meant by "3 constables

NOTE—Contn. sheet

GPB—50,000—23 10-05

Serial No.

on duty for 24 hours, 6 hours each alternately" - I suppose there should be 3 Constables always present - What about "24 hours" and "6 hours each alternately"? Will the Secretary kindly enlighten me?

W W Rattenmaybett.
20/Jan/06

Why are "night" & "day" introduced? W W R

6 The meaning as I understand C.O's letter is that there should be three Constables on guard at any one given time, & that the men on duty should be changed every four hours, being however, liable to be again put on to duty at the end of a four hours' respite.

9 By "night & day" in the Rules is meant continuous, without intermission. This has been misunderstood by some District Officers (see C.O. letter of 20/Jan/06 regarding) & batches of policemen

GPB—50,000—23-10-05

Serial No.

10

& the defence & mitigations reflected?
If further explanation is necessary, I shall be glad to call on the Councillor - Or, perhaps, Cl Inglis may shortly be consulted unofficially?

20 CV

11

On reading thro' the I.G's letter again I am afraid what he means is that three constables would do for 24 hours, each one of them being on guard for 4 hours at a time. At any given time there would be but one man; and each of the three men will have 4 hours' duty and 8 hours respite, both day and night. One man at a time would hardly be sufficient to guard desperate and notorious criminals. The rule has to be interpreted as the Lieut. has done in the 1st para of the above note — i.e. there should be six constables, three being on guard always and there being a change every four hours. This would require some alteration in the draft proposed. To put down this the Lieut has to be

18/7-06

I have had a talk about the

A

12

s—Cont'g. sheet

G.R.S. 12J
General and Revenue Secretariat.

Pol. File No. 73 of 1905-06

Serial No.

13

With the Secd Commr Clr
Since there is all this doubt
about ~~the area~~ what is meant,
let us ~~write to~~ the Insp.r Genl of
Police himself as to the exact
value of his recommendations,
& then consult the Dy Commr also.

14

Forwarded (w. offg) to the Insp.r
Genl of Police for favour of
remarks in elucidation of his proposal

M Chandrasekharan
18.7.06 Secy to Govt

18.7.06

J. A. G. No 45 of 06-07
18.7.06.

I meant to say that 3 men should
suffice for 24 hrs — taking 4 hr tours
of duty. They would all be present at once,
but only one actually on guard — If any difficulty
arose of course the man on guard at once roused up
the other two. These three men would have no
duties during the next 24 hrs, but would be
relieved by a fresh set of 3, and after
24 hrs off duty would again be for guard duty.
Of course it is not acknowledged
that there may three should be taken to duty —
what is required is that 3 fresh men
shall be called.

Ill
Insp Genl
21.7.06

Note—Contn. sheet

GPB—50/000—23-10-05

over

G.R.S. 12J
General and Revenue Secretariat.

Pris File No. 73 of 1905–06

Serial No.

B

A simple order would be to depute Six men, ~~two Sub-Assistants, under Inspector or Sub-Inspector~~ to be divided into two guards of three men each. The guard will take duty alternately; the hours of duty for each guard will be 24 hrs. The members of each guard will ~~take~~ do Sentry alternately, four hrs at a time. During the hours of duty of a guard all three members must be present, so that the Sentry may ~~not~~ obtain the help of the other two men, instantly in case of need.

19.7.06
Lieut. Col. I. M. S.
Inspector General of Prisons
in Mysore.

No 3 G.O. dated 19.7.06

Rec'd 21-7-06

17

Forwarded to the Superintendent of Police also, for favour of perusal.

21-7-06 Dec'y to Govt

8.

J.H.C. No 8 of 06-07
23.7.06

The matter is one of purely departmental Police routine, as will be seen from the Madras Police order, on which this whole question was raised

NOTE—Contn. sheet

GPB—50,000—23-10-05

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The Police, except in District Lock ups or Sub Jails, are wholly responsible for the guarding of prisoners. and a certain discretion must be left to the Senior Police Officer present, in regard to the proper guarding of the prisoners for whom he is responsible. When one or more prisoners are locked up in one cell, one man on guard & two in reserve - i.e. a guard of 3 changed at intervals of 4 hours - would be sufficient. In case of two or three cells being occupied by separate prisoners, or batches of prisoners the above guards would have to be doubled, especially if the cells are so placed that one man on guard is unable to see all the doors above that same time. The number of guards required must be left to the discretion of the Senior Police Officer present, & the Amildar

Note. Three men should be only on duty for 12 hours at a time.
H.

4

24-7-06.

J. C. Lamb
I.G. Police

GPB—50,000—23-10-05

Serial No.

19

The question is not about the introduction of new rules (as suggested by the I.G. of Police) but is about the interpretation of existing rules. What is given by the I.G. of Prisons at p 6 of the note (marked B) appears the simplest rule to adopt. (vide my note of 18.7.06 marked A). The arrangement suggested by the I.G. of Prisons in the 1st part of his note (p. 5) would necessitate 3 men being on duty for 24 hours together without any respite

Lee R. 25.7.06

20

On further consideration it seems to me unnecessary to lay down any elaborate instructions in this matter.

All that was meant by Rule 1 of the Rules of Sept. 1903 was that at any given time there should be three constables on

21

Hq T & L

Serial No.

guard over a ~~prisoner~~ long-term convict a notorious criminal. It is for the local Police authorities, the Deputy the Superintendent to determine for how many hours at a time each constable should be on duty.

22 If, as is now reported, it is found for the same batch of constables to keep effective watch over a number of cells in the same line, this, I think, may be permitted, though it means virtually a modification of the Rules of 1903, which imply that each prisoner should have three men on guard over him.

×HT 23 Government order of 20-10-05 No 1105-11. Pris 22-4× and the reports of the Inspector General of Police and Prison on which it was passed show that the rules have been working satisfactorily, without entailing additional cost to any appreciable extent, and that requisitions for additional guards are in most cases met (without any difficulty) by the Police.

24 In these circumstances the only change that seems required is in regard to the suggestion noted above (about watching cells in the same line). If this is approved, a draft order will be submitted.

20/V

GPB—50,000—23 10-05

G.R.S. 12]

General and Revenue Secretariat.

For File No. 73 of 1905-06

Serial No.

25 The meaning of the rule has been made quite clear now, Thanks to the notes of the several officers. The proposal made by the Hy of Prisons may be approved

Draft & submit - [illegible]

26 Please put up a draft embodying the substance of the paras 2 & 3 of the Secy's note dt 24.8.06 & making the additions contemplated, by Rule I

20.8.06.

Submitted a draft order

SW 24/8/06.

Secy) 24-8-06

24-8-06

Make clean copy of draft & submit to Secy for approval -

27 attended to SW 27/8/06

Draft may be approved

27.8.06

28/8

NOTE—Contn. sheet 1984

CPB—50,000—23 10-05

G.R.S. 12]
General and Revenue Secretariat.

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Serial No.

29

Draft approved by the Dewan

CRB
13/10/06

Dewan
Engineer.

Bkee
15/10

2 ~~Draft~~ Draft Memo No. 3542-557/Rev 73-06 dt 20/10/06. to the Asst Secretary in charge Revenue Branch in Engineer & Dy Secretary Office.

Draft Memo
Bkee
13/10/06

Modified rule 1 of the rules published with Govt Memo No. 565-75/37 dt 27/5/1903.

NOTE—Contn. sheet

GPB—50,000—23 10-05

Pris file no 73 of 06 of Serial no 1. F 3275

No. 909/J.

Office of the Inspr. Genl. of Prisons in Mysore

Dated Bangalore, 20th June 1906.

From

Lt.-Colonel.J.Smyth, M.D., I.M.S.,

Offg.Inspector General of Prisons in Mysore.

To

K.S.Chandrasekhara Iyer Esquire.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

With reference to Rules for the safe-guarding of long term convicts and notorious criminals temporarily confined in the District and Taluk Lock-ups, promulgamated under Government order No.569-79/J.F.dated the 7th September 1903, I have the honor to inform His Highness' Government that there is a difference of opinion amongst District Officers as to the exact meaning of Rule.1 thereof. The rule provides for a special guard consisting of 3 constables for such a prisoner. But what is uncertain is, whether in case there be more than one such prisoner, and each confined in a sepa-rate cell, there should be 3 special constables on guard over each prisoner. Again the rule says there shall be 3 Police constables "by night and day". Does this mean 3 at night and 3 fresh ones by day ?

2. My own opinion is that 3 constables on duty for 24 hours, 4 hours each alternately, would suffice for 6 such prisoners provided the doors of the cells all looked the same way, but if, as in the case in Shimoga Lock-up, some cells look one way and the rest are on the opposite side of the building, but in the same block, three more constables should be posted to the other cells if there are desperate

prisoners

prisoners in them- that is to say, that for every separate set of cells in the same line and which can be observed by one man without altering his position, 3 constables should suffice for each period of 24 hours.

I have the honor to be,

Sir,

Your most obedient servant,

M.D.,

Lt.-Colonel., I.M.S.,

Inspector General of Prisons

932

III
22 6 06
Withdrawn
3/6

From

The Director General of Prisons
in Regard -

to -

The Secretary to the Govt
of Bengal Genl & Revs
Depts -

Dated - 20th June 1906 -

No: 909/J En. Sil -

Bringing to Notice of Govt
that Rule 1 of Rules for safe -
-guarding long-term and
deliberate criminals has an
ambiguous meaning ——

3 Fair draft

Promo

G.R.S. 28]

File No. 73-05

Serial No. 2

Diary No. of letter replied to ———

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 190

Date of issue 20/10/06

Signed by Mr. K Mathew

READ.—

Letter No. 909 dated the 20th June 1906. from the Inspector General of Prisons in Mysore.

(Print in extenso).

ORDER THEREON.—No. J 942-951 Bms 73-05-2

Government observe that the meaning of Rule (1) of the Rules of the 4th September 1903 is that at any given time there should be three Constables on guard over a long term Convict over

SUBJECT

or notorious Criminal and that the watch should be maintained night & day that is continuously without intermission It is for the local police authorities who depute the guard to determine for how many hours at a time each Constable should be on duty

2. It is now reported that it is possible for the same batch of Constables to keep effective watch over a number of cells in the same line and opening on the same side. In such cases it would be sufficient if there are always three Constables on guard for not more than six such cells in each of which a prisoner is confined

3. The Government are therefore pleased to direct that Rule (1) of the Rules published with Govt Proceedings No. 569-79/9-7 dated the 7th September 1903 be

5

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

modified as shown below:—

(1) A special guard consisting of three police constables should be engaged to maintain a strict watch over such prisoner by night and day and such prisoner shall be locked up in a separate cell, if available; provided that if there are several such prisoners confined in separate cells opening towards the same side so that the same guard may keep watch over all of them at the same time, it shall be sufficient if the guard consists of three constables for not more than six such prisoners locked up in separate cells."

Revised by H.C. 19.10.06
S.S. 19/10/06

Print —

Secretary

To

The I.G. of Prisons in Mysore
" I.G. of Police in Mysore
" Dy Comrs of Districts

MGCPB—39,000—5-4-05.